

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

UNITED SERVICES AUTOMOBILE)	
ASSOCIATION)	
a Texas reciprocal inter-insurance exchange,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 2:18-CV-245 (JRG)
)	
WELLS FARGO BANK, N.A.,)	JURY TRIAL DEMANDED
a national banking association,)	
)	
Defendant.)	

**PLAINTIFF’S NOTICE OF DECISION DENYING INSTITUTION OF
COVERED BUSINESS METHOD PATENT REVIEW**

Plaintiff United Services Automobile Association (“USAA”) hereby provides notice that the Patent Trial and Appeal Board has denied initiation of a Covered Business Matter review of United States Patent No. 8, 977, 571, one of the patents before the Court. Attached to this Notice as Exhibit A is the PTAB’s decision. The Board found that: (1) "the ’571 patent’s solution to the addressed problem is rooted in technology, and thus, is a ‘technical solution’" (Exhibit A, 29); and (2) "Petitioner has not sufficiently persuaded us that the ’571 patent recites a technological solution that is not novel and nonobvious[.]" (Exhibit A, 30). As part of its analysis, the Board construed certain claim terms under the broadest reasonable interpretation standard that are also at issue in the claim construction briefing before this Court. (*See generally* Exhibit A, at 9-21).

Respectfully submitted,

PARKER, BUNT & AINSWORTH, P.C.

/s/ Robert Christopher Bunt

Robert Christopher Bunt
Texas State Bar No. 00787165
Charles Ainsworth
Texas State Bar No. 00783521
100 E. Ferguson, Suite 418
Tyler, Texas 75702
Tel. (903) 531-3535
charley@pbatyler.com
rcbunt@pbatyler.com

IRELL & MANELLA LLP

Jason Sheasby (CA #205455), *pro hac vice*
Ben Hattenbach (CA #186455), *pro hac vice*
Anthony Rowles (CA #301209), *pro hac vice*
1800 Avenue of the Stars, Suite 900
Los Angeles, CA 90067
Tel. (310) 277-1010
Fax (310) 203-7199
jsheasby@irell.com
bhattenbach@irell.com
trowles@irell.com

**Attorneys for Plaintiff United Services
Automobile Association (USAA)**

CERTIFICATE OF SERVICE

I hereby certify that, on May 15, 2019, a true and correct copy of the foregoing was served to all counsel of record via CM/ECF.

/s/ Robert Christopher Bunt

ROBERT CHRISTOPHER BUNT